

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>MARY JONES and JOSEPH ALFORD,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO.: 1:06-cv-585-WHA</b>
	)	
<b>THOMAS FLATHMANN, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**UNOPPOSED MOTION FOR CONTINUANCE**

COMES NOW Defendants, **THOMAS FLATHMANN, TONY TURNER** and **DONOVAN ARIAS** in the above-styled cause, by and through their undersigned attorney, and respectfully request this Honorable Court to continue the trial in the above-referenced case which is currently set for Monday, January 12, 2009 at 8:45 a.m., and in support thereof shows unto the Court that due to the undersigned's recent hospitalization for salmonella poisoning, the undersigned is unable to complete discovery and dispositive motions at this time.

The undersigned's staff has spoken with the Plaintiff's attorney in this case, Guy Holton, who has no objection to the requested continuance as there is discovery that needs to be done in this case and he does not object to an extension of current deadlines resulting from the continuance requested herein.

The undersigned was hospitalized with salmonella poisoning on August 13, 2008 for three days and was released to home nursing care. On Sunday, August 24, 2008, the undersigned was admitted to the hospital with non-typhoid enteric fever secondary to salmonella poisoning. The

undersigned's body went into sepsis, (blood pressure dropped to 66/22), resulting in multiple organ failure problems including but not limited to complete renal failure, pancreatitis and some heart damage. The undersigned was in the Critical Care Unit of Southeast Alabama Medical Center from Sunday, August 24, 2008, until late Wednesday of that week and was in the hospital the entire week. Once again the undersigned was discharged to home nursing care. The undersigned is currently attempting to work half days beginning yesterday, September 9, 2008.

Because the undersigned has already been out of the office for approximately one month and continues to struggle with the problems caused by the enteric fever, it is believed that the undersigned will not be able to comply with the deadlines established in the Courts Scheduling Order.

WHEREFORE, the undersigned respectfully requests that the Trial in this case be continued to a later date and time convenient for the Court and that the Court issue a new Scheduling Order related to said trial date.

Respectfully submitted on this, the 10th day of September, 2008.

Respectfully submitted,

\s\ Gary C. Sherrer

GARY C. SHERRER (SHE016)

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**CERTIFICATE OF SERVICE**

I, Gary C. Sherrer, hereby certify that on this 10th day of September, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Richard H. Ramsey, IV, Esq.  
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**s/Gary C. Sherrer**  
OF COUNSEL